

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Sep 15, 2025**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision ECF No. 159

Name of Offender: Richard Olaf Howard

Case Number: 0980 1:23CR02031-SAB-1

Address of Offender: [REDACTED] Wapato, Washington 98952

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: August 28, 2024

Original Offense: Distribution of Fentanyl, 21 U.S.C. § 841(a)(1), (b)(1)(C)

Original Sentence: Prison - 64 days
TSR - 36 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison - credit for time
(02/07/2025) served (79 days)
TSR - 33 months

Asst. U.S. Attorney: Benjamin David Seal

Date Supervision Commenced: February 5, 2025

Defense Attorney: Nick Mirr

Date Supervision Expires: November 4, 2027

PETITIONING THE COURT

To issue a warrant.

On February 6, 2025, the supervised release conditions were reviewed and signed by Mr. Howard acknowledging an understanding of his conditions.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Special Condition #3:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
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Supporting Evidence: Mr. Howard is alleged to be in violation of his conditions of supervised release by consuming fentanyl, on or before September 4, 2025.

On September 4, 2025, during a routine home inspection at Mr. Howard's residence, he provided a urinalysis (UA) that tested presumptively positive for fentanyl. Mr. Howard denied consuming fentanyl. The sample was sent to Alere Toxicology Services, Incorporated (Alere) for confirmation.

On September 4, 2025, Alere confirmed that Mr. Howard's UA tested positive for fentanyl.

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- 2 **Standard Condition #10:** You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).

Supporting Evidence: Mr. Howard is alleged to be in violation of his conditions of supervised release by owning, possessing and having access to a shotgun, on September 12, 2025.

On September 12, 2025, U.S. Probation Officers searched Mr. Howard's residence in Wapato, Washington. This officer contacted Mr. Howard at his front door and asked him to step outside. After Mr. Howard exited the house, this officer informed him that the residence would be searched. While local law enforcement and agents from the Bureau of Indian Affairs cleared the home, a loaded shotgun containing four shotgun shells was found inside.

Prior to the search, Mr. Howard was questioned about the presence of any drugs or weapons in the house. He stated he was not aware of any such items but acknowledged he had shotgun shells in his room and indicated where they could be found.

During the search, probation officers discovered 119 shotgun shells in Mr. Howard's bedroom, precisely where he indicated. They also found a container holding 44 bindles of suspected fentanyl next to \$334 in cash, along with small amounts of marijuana.

- 3 **Standard Condition #10:** You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).

Supporting Evidence: Mr. Howard is alleged to be in violation of his conditions of supervised release by owning possessing and have access to ammunition, 119 rounds of 12-gauge shotgun shells, on September 12, 2025.

Please refer to narrative found in violation #2.

- 4 **Mandatory Condition #2:** You must not unlawfully possess a controlled substance. You must refrain from any unlawful use of a controlled substance, including marijuana, which remains illegal under federal law.

Supporting Evidence: Mr. Howard is alleged to be in violation of his conditions of supervised release by unlawfully possessing fentanyl powder, on September 12, 2025.

Please refer to narrative found in violation #2.

- 5 **Mandatory Condition #2:** You must not unlawfully possess a controlled substance. You must refrain from any unlawful use of a controlled substance, including marijuana, which remains illegal under federal law.

Supporting Evidence: Mr. Howard is alleged to be in violation of his conditions of supervised release by unlawfully possessing marijuana, on September 12, 2025.

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Please refer to narrative found in violation #2.

It is respectfully recommended that the Court issue a warrant requiring Richard Olaf Howard to appear to answer to the allegations in the attached petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/12/2025

s/Kyle Mowatt

Kyle Mowatt
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

9/15/2025

Date